APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,425	05/22/2001	Srinivas Bharadwaj	MEDIAFARM.PT1	9411

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EXAMINER
COULTER, KENNETH R

ART UNIT	PAPER NUMBER
2141	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/863,425	BHARADWAJ, SRINIVAS
	Examiner	Art Unit	
	Kenneth R. Coulter	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 April 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-37</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement filed 5/22/01 fails to comply with 37 CFR

1.98(a)(2), which requires a legible copy of each cited foreign patent document; each

non-patent literature publication or that portion which caused it to be listed; and all other

information or that portion which caused it to be listed. It has been placed in the

application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 16 – 28 and 30 – 37are rejected under 35 U.S.C. 102(e) as being

disclosed by Lee et al. (U.S. Pat. No. 6,336,137) (Web Client-Server System and

Method for Incompatible Page Markup and Presentation Languages).

3.1   Regarding claim 16, Lee discloses an apparatus comprising: a client computer

configured to fit in a person's hand, comprising:

a central processor unit (col. 1, lines 57 – 58 "low processor power");

memory device coupled to the central processor unit, said memory being

configured to store instructions to direct the central processing unit (col. 1, lines 56 - 62

"low memory capacity");

input device coupled to the central processor unit; a communication device

coupled to the central processor unit and adapted to establish a wireless

communication link with one or more remotely located server computers (col. 1, line 60

"touchpads");

second component coupled to the memory device, said second component

configured to receive a compound request message from the server (col. 4, lines 13 –

20; col. 5, lines 26 – 41);

third component coupled to the memory device, said third component configured to use

the compound request message to update a display state of the client computer; and a

display device coupled to the central processor unit, wherein said client computer

device is adapted to act as a remote output device for one or more application programs

running on said one or more remotely located server computers over a wide-area

mobile network without the need for an execution environment on the client computer

(col. 11, lines 1 – 12 "**All application logic resides on the Web Server**, 61, or

Application Server, 73, and is displayed on the wireless client, 41, on demand."; col. 1,

lines 22 - 26).

3.2   Per claim 17, Lee teaches the apparatus as in claim 16, wherein the input device

is a stylus, a microphone adapted to receive speech input, a pointing device, a

keyboard, a touch pad, a jog dial, joystick, or an infrared input device (col. 1, line 60

"touchpads").

3.3   Regarding claim 18, Lee discloses the apparatus as in claim 17, wherein the one

or more application programs include one active application (Abstract).

3.4   Per claim 19, Lee teaches the apparatus as in claim 16, further comprising: a

portion of the memory device configured as a local cache; wherein drawables

corresponding to the one or more application programs are stored in the cache for local

retrieval and display (col. 11, lines 18 – 33; col. 12, lines 21 - 21).

3.5   Regarding claim 20, Lee discloses the apparatus as in claim 16, further

comprising: fourth component configured to transmit a user's identification information to

a server (col. 6, lines 12 - 27); and fifth component configured to receive information

regarding a list of applications previously executing for that user (col. 6, lines 12 - 27).

3.6   Per claim 21, Lee teaches the apparatus as in claim 16, further comprising: sixth

component configured to select one of a plurality of applications from a list of available

applications (col. 10, line 66 – col. 11, line 17).

3.7   Regarding claims 22 and 23, Lee does not explicitly teach multimedia displaying

circuitry.

However, this circuitry is commonplace on portable browser and represents no

patentably distinct feature over the prior art.

3.8   Regarding claim 24, Lee discloses the apparatus as in claim 16, further

comprising: first component coupled to the memory device, said first component

configured to transmit a list of cached drawables for an active application to a server

(col. 11, lines 18 – 33; col. 12, lines 21 - 21).

3.9   Per claims 25 – 28, Lee does not explicitly disclose the features involving voice

activated application implementation.

Voice activation is commonplace on thin client devices in order to reduce the use

of small, unwieldy input devices on portable thin clients.

3.10   Per claims 30 – 37, the rejection of claims 16 – 28 under 35 USC 102(e)

(paragraph 3.1 – 3.9) applies fully.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1 – 15 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lee et al. (U.S. Pat. No. 6,336,137) in view of Cleron et al. (U.S. Pat. No.

6,223,213) (Browser-Based Email System with User Interface for Audio/Video Capture).

5.1   Regarding claim 1, Lee discloses an apparatus comprising:

a client computer configured to fit in a person's hand, comprising:

> a central processor unit (col. 1, lines 57 – 58 "low processor power");

> memory device coupled to the central processor unit, said memory being

configured to store instructions to direct the central processing unit (col. 1, lines 56 - 62

"low memory capacity");

> input device coupled to the central processor unit (col. 1, line 60 "touchpads");

> a communication device coupled to the central processor unit and adapted to

establish a wireless communication link with one or more remotely located server

computers (col. 11, lines 1 – 12); and

> a display device coupled to the central processor unit (col. 1, line 56 – col. 2, line

6 "small displays"), wherein said client computer device is adapted to act as a remote

output device for one or more application programs running on said one or more

remotely located server computers without the need for an execution environment on

the client computer (col. 11, lines 1 – 12 "**All application logic resides on the Web**

Server, 61, or Application Server, 73, and is displayed on the wireless client, 41, on

demand."; col. 1, lines 22 - 26).

However, Lee does not explicitly disclose that the memory device is a non-volatile

memory device configured to store a graphics protocol engine.

Cleron discloses a memory device that is a non-volatile memory device configured to

store a graphics protocol engine (col. 4, lines 19 – 24).

It would have been obvious to one of ordinary skill in the art at the time of the invention

to implement the non-volatile memory of Cleron in Lee since the graphics implementing

software is critical to the wireless device of Lee.

5.2   Per claim 2, Lee teaches the apparatus as in claim 1, wherein the input device is

a stylus, a microphone adapted to receive speech input, a pointing device, keyboard,

touch pad, jog dial, joystick, or an infrared input device (col. 1, line 60 "touch pads").

5.3   Regarding claim 3, Lee discloses the apparatus as in claim 1, wherein the one or

more application programs include one active application (Abstract).

5.4   Per claim 4, Lee teaches the apparatus as in claim 3, further comprising: a

portion of the memory device configured as a local cache (col. 12, line 17); wherein

drawables corresponding to the one or more application programs are stored in the

cache for local retrieval and display (col. 11, lines 18 – 33; col. 12, lines 21 - 21).

5.5   Regarding claim 5, Lee discloses the apparatus as in claim 1, further comprising:

first component coupled to the memory device, said first component configured to

transmit a list of cached drawables for an active application to a server (col. 11, lines 18

– 33; col. 12, lines 21 - 21).

5.6   Per claim 6, Lee teaches the apparatus as in claim 1, further comprising: second

component coupled to the memory device, said second component configured to

receive a compound request message from the server (col. 11, lines 18 – 33; col. 12,

lines 21 - 21).

5.7   Regarding claim 7, Lee discloses the apparatus as in claim 6, further comprising

a third component coupled to the memory device, said third component configured to

use the compound request message to update a display state of the client computer

(col. 13, lines 56 - 63).

5.8   Regarding claim 8, Lee discloses the apparatus as in claim 1, further comprising:

fourth component configured to transmit a user's identification information to a server

(col. 6, lines 12 - 27); and fifth component configured to receive information regarding a

list of applications previously executing for that user (col. 6, lines 12 - 27).

5.9   Per claim 9, Lee teaches the apparatus as in claim 1, further comprising: sixth component configured to select one of a plurality of applications from a list of available applications (col. 10, line 66 – col. 11, line 17).

5.10   Per claims 10 and 11, Lee does not explicitly teach multimedia displaying circuitry.

However, this circuitry is commonplace on portable browser and represents no patentably distinct feature over the prior art.

5.11   Regarding claims 12 – 15, Lee does not explicitly disclose the features involving voice activated application implementation.

Voice activation is commonplace on thin client devices in order to reduce the use of small, unwieldy input devices on portable thin clients.

5.12   Per claim 29, the rejection of claims 1 – 15 under 35 USC 103 (paragraph 5.1 – 5.11 above) applies fully.

Response to Arguments

6.   Applicant's arguments with respect to claims 1 – 15 and 29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
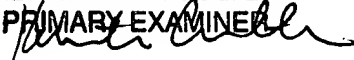
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kenneth R. Coulter whose telephone number is 571

272-3879. The examiner can normally be reached on M - F, 7:30 am - 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KENNETH R. COULTER
PRIMARY EXAMINER

krc